

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CHRISTOPHER JAY EWING,

Petitioner,

v.

MICHAEL A. SMELOSKY,
Warden,

Respondent.

Case No. CV 06-4774 PSG(JC)

(PROPOSED) ORDER ADOPTING
FINDINGS, CONCLUSIONS, AND
RECOMMENDATIONS OF
UNITED STATES MAGISTRATE
JUDGE

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition for Writ of Habeas Corpus by a Person in State Custody (the "Petition") and all of the records herein, including the attached Report and Recommendation of United States Magistrate Judge ("Report and Recommendation"), and petitioner's objections to the Report and Recommendation ("Objections"). The Court has further made a *de novo* determination of those portions of the Report and Recommendation to which objection is made. The Court concurs with and adopts the findings, conclusions, and recommendations of the United States Magistrate Judge and overrules the Objections.

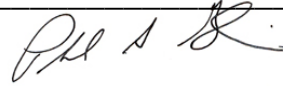
IT IS ORDERED that Judgment be entered denying the Petition and dismissing this action with prejudice.

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1 IT IS FURTHER ORDERED that the Clerk serve copies of this Order, the
2 Report and Recommendation, and the Judgment herein on petitioner and counsel
3 for respondent.

4 LET JUDGMENT BE ENTERED ACCORDINGLY.

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6 DATED: _____November 16, 2010_____

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9 HONORABLE PHILIP S. GUTIERREZ
UNITED STATES DISTRICT JUDGE